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Attorneys for Defendants
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INC., MALLINCKRODT ENTERPRISES HOLDINGS, INC., MALLINCKRODT HOSPITAL
PRODUCTS INC., MALLINCKRODT U.S. HOLDINGS, INC. and ENTERPRISES
HOLDINGS, INC. WHICH WILL DO BUSINESS IN CALIFORNIA AS MALLINCKRODT
PHARMACEUTICALS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BARRY FRANKS,

Plaintiff,

v.

MALLINCKRODT ENTERPRISES LLC, A
DELAWARE LIMITED LIABILITY COMPANY;
MALLINCKRODT LLC, A DELAWARE LIMITED
LIABILITY COMPANY; ENTERPRISES
HOLDINGS, INC. WHICH WILL DO BUSINESS IN
CALIFORNIA AS MALLINCKRODT
PHARMACEUTICALS, A DELAWARE
CORPORATION; MALLINCKRODT HOLDINGS,
LLC, A DELAWARE LIMITED LIABILITY
COMPANY; MALLINCKRODT ARD, INC., A
CALIFORNIA CORPORATION; MALLINCKRODT
ENTERPRISES HOLDINGS, INC., A CALIFORNIA
CORPORATION; MI HOLDINGS, INC., A
MISSOURI CORPORATION; MALLINCKRODT
HOSPITAL PRODUCTS INC.; A DELAWARE
CORPORATION; MALLINCKRODT U.S.
HOLDINGS, INC., A NEVADA CORPORATION;
QUESTCOR PHARMACEUTICALS, INC., A
CALIFORNIA CORPORATION; AND DOES 1
THROUGH 20, INCLUSIVE,

Defendants.

Case No. 3:16-cv-07300-RS

**JOINT STIPULATION OF
DISMISSAL AND ~~PROPOSED~~
ORDER**

Complaint Filed: October 7, 2016
Trial Date: August 6, 2018
Judge: Hon. Richard Seeborg
Chief Magistrate
Judge: Hon. Joseph C. Spero

1 WHEREAS, Plaintiff, BARRY FRANKS (“Plaintiff”) and Defendants MALLINCKRODT
2 ENTERPRISES LLC, MALLINCKRODT LLC, MALLINCKRODT ARD INC.,
3 MALLINCKRODT ENTERPRISES HOLDINGS, INC., MALLINCKRODT HOSPITAL
4 PRODUCTS INC., MALLINCKRODT U.S. HOLDINGS, INC., and ENTERPRISES
5 HOLDINGS, INC. WHICH WILL DO BUSINESS IN CALIFORNIA AS MALLINCKRODT
6 PHARMACEUTICALS (“Defendants”) (collectively “the parties”), settled this matter on or about
7 May 7, 2018 as memorialized in a Confidential Settlement Agreement and General Release of All
8 Claims (Settlement Agreement).

9 WHEREAS, Defendant MALLINCKRODT HOLDINGS, LLC and Defendant MI
10 HOLDINGS, INC. did not make appearances in this matter.

11 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties,
12 that this action shall be dismissed with prejudice in its entirety as to all defendants pursuant to
13 Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

14 IT IS FURTHER STIPULATED AND AGREED that, each party is to bear its own costs
15 and attorney fees as set forth in the Settlement Agreement.

16 Respectfully submitted,

17
18 DATED: June 15, 2018

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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20
21 By: /s/ Gregory C. Cheng
22 GREGORY C. CHENG
23 ROSHNI CHAUDHARI
24 Attorneys for Defendants
25 MALLINCKRODT ENTERPRISES LLC,
26 MALLINCKRODT LLC, MALLINCKRODT
27 ARD INC., MALLINCKRODT
28 ENTERPRISES HOLDINGS, INC.,
MALLINCKRODT HOSPITAL PRODUCTS
INC., MALLINCKRODT U.S. HOLDINGS,
INC., and ENTERPRISES HOLDINGS, INC.
WHICH WILL DO BUSINESS IN
CALIFORNIA AS MALLINCKRODT
PHARMACEUTICALS

1
2 DATED: June 15, 2018

QUADE & ASSOCIATES, A PLC

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4
5 By: /s/ Cheryl L. Gustafson
MICHAEL W. QUADE
6 CHERYL L. GUSTAFSON
Attorneys for Plaintiff
7 BARRY FRANKS

8 **SIGNATURE ATTESTATION**

9 Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document
10 has been obtained from the other signatories.

11
12 DATED: June 15, 2018

By: /s/ Cheryl L. Gustafson
13 CHERYL GUSTAFSON

14
15
16 **ORDER**

17
18 The parties having so stipulated and agreed, it is hereby SO ORDERED. The above-
19 referenced case is hereby DISMISSED with prejudice in its entirety as to all defendants.

20 DATED: 6/15/18



21 HONORABLE RICHARD SEEBORG